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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Nineteenth session

SUMMARY RECORD OF THE FIRST PART (PUBLIC)*
OF THE 36th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 19 November 1998, at 3 p.m.

Chairperson: Mr. GRISSA

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* The summary record of the second part (closed) of the meeting appears as document E/C.12/1998/SR.36/Add.1.

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The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (agenda item 6) (continued)

Third periodic report of Cyprus (continued) (E/1994/104/Add.12; list of issues: E/C.12/Q/CYP/1; HRI/CORE/1/Add.28/Rev.1; Written response to the questions raised in the list of issues by the Government of Cyprus, HR/CESCR/NONE/98/2)

1. At the invitation of the Chairperson, the members of the delegation of Cyprus resumed their places at the Committee table.

2. The CHAIRPERSON invited the delegation to reply to the questions raised by the members of the Committee concerning articles 11 and 12 of the Covenant.

Articles 11 and 12 of the Covenant

3. Mr. EFTYCHIOU (Cyprus), replying to question 52 in the list of issues, said that in order to reduce obesity and cholesterol levels, which were no higher than in most other European countries, the Ministries of Health and Education were conducting various information and awareness campaigns to teach people better nutritional habits and to explain the benefits of the Mediterranean diet for good health and disease prevention. Moreover, all primary school pupils underwent a blood test and a general medical examination and their nutritional habits were analysed.

4. Mr. PNEUMATICOS (Cyprus) added that a questionnaire had been distributed to schools in order to evaluate the results of those campaigns. The Government would communicate the survey's findings to the Committee once they were received.

5. Mr. RIEDEL explained that, in respect of nutrition as in other areas, the Committee needed indicators and benchmarks to evaluate the progress made by State parties. He asked whether there was a law prohibiting forced evictions.

6. Ms. LOIZIDOU (Cyprus) said that the law did not prohibit evictions but strictly regulated them. Only a court could order an eviction. It was extremely difficult to evict a tenant, even if the lease had expired or the owner himself wished to occupy the premises. Government employees in official housing were in principle required to leave their accommodation when they reached retirement age. They then frequently instituted legal proceedings in order to be allowed to stay. Such proceedings were of very long duration, and even when appeals were dismissed by the Supreme Court, the State never called in the police to evict the persons concerned. In any event, if the court decided that someone had to leave their accommodation, they were granted a period of time to comply, and if they were elderly or had limited resources, assistance was provided by the social services.

7. Mr. EFTYCHIOU (Cyprus) said that Turkish Cypriot citizens who returned to the part of the island controlled by the Government had every right to demand the restitution of their property, including their accommodation. In case of need, the State provided them with housing pending a judicial decision to grant their request.

8. Ms. THEODOROU (Cyprus) added that evicted persons with no income received a welfare allowance to pay their new rent until they found a job.

9. Mr. WIMER asked about the extent of the problem of drug abuse in Cyprus, which drugs were most frequently consumed, whether drugs were produced locally and whether Cyprus, which was situated on the drug route between the Middle East and Europe, encountered particular problems in the fight against drug trafficking.

10. Mr. EFTYCHIOU (Cyprus) acknowledged that Cyprus was at a geographical crossroads of the drug trade. On the whole, the number of drug users in Cyprus had increased over the past decade. The question was whether drugs were produced in the country or imported from abroad. Cannabis plantations had been found on Cypriot territory but they were of limited size and seemed primarily to be used for drug production for personal use. On the basis of the quantities confiscated, it could be assumed that cannabis was not produced for purposes of trafficking. Of greater concern was the introduction of drugs into the country by the numerous foreign tourists. His delegation was not in a position to provide specific information and figures on the subject but would transmit them to the secretariat if the Committee so desired.

11. Mr. PNEUMATICOS (Cyprus) explained that the Ministries of Education and Health were pursuing an active policy of prevention of drug abuse through information campaigns aimed at alerting schoolchildren and students to the serious consequences of drug consumption for their health.

12. Ms. JIMENEZ BUTRAGUEÑO said that she saw much merit in the new forms of treatment and housing for persons suffering from chronic mental illness, which were mentioned in the written response to question 60, particularly reunion with families and accommodation in sheltered homes or independent flats. She feared, however, that the placement of chronic mental patients, particularly persons suffering from senile dementia, in facilities for elderly persons of sound mind might be harmful to the latter.

13. Ms. BONOAN-DANDAN said that, according to certain information available to her, the psychiatric hospitals were overcrowded, patients in them were subjected to degrading treatment and the State made no real effort to uncover such practices.

14. Mr. RIEDEL requested further information on how the Government went about giving grants to families occupying accommodation that lacked hot water or flush toilets. He welcomed the fact that, owing to new forms of treatment and housing for persons with chronic mental ailments, the number of the mentally ill in hospital was gradually and steadily decreasing.

15. He also wished to know whether it was possible to place a disabled child in a specialized institution without the consent of the parents. The written

response to question 62, indicated that two children suffering from AIDS were attending public primary school and that, thanks to an information campaign among the parents of other children, they attended normal classes and followed exactly the same programme of studies as the other children. If that was indeed the situation, it was unique in Europe.

16. Mr. PNEUMATICOS (Cyprus) said there was a wide range of specialized educational institutions for children suffering from specific disabilities (autistic, maladjusted and mentally retarded children, for example). In recent years, every effort had been made to abolish institutionalized care. Children in the school for the deaf and the school for the blind had accordingly been integrated into ordinary schools.

17. Concerning the placement of a child in a specialized institution, very rarely did the opinion of the competent authorities differ from that of the parents.

18. Ms. THEODOROU (Cyprus) said that the Government was aware of the problems that arose in homes for the elderly. That was why the Ministry of Health and the Department of Social Welfare Services encouraged private initiatives aimed at setting up specialized institutions, including protected workshops, for the elderly.

19. Families unable to meet basic needs for lack of sufficient income received assistance from the State.

20. The situation of individuals suffering from mental disorders had greatly improved; they increasingly received treatment in their own homes under the supervision of social workers cooperating with multidisciplinary teams of professionals in psychiatric hospitals. Home improvement grants were provided conditionally and social workers monitored the renovation work. The procedure for placement in institutions differed according to whether the person concerned was under or over 18 years of age. In the case of children with mental disorders, the initiative for placement generally originated with the parents. Adults were consulted and a decision was taken in their best interests.

21. Ms. LOIZIDOU (Cyprus) added that refugees had the same rights as inhabitants of Cyprus with regard to access to health services.

22. Mr. ADEKUOYE commented that the minimum wage was extremely low and did not always provide for an adequate standard of living. The Cypriot authorities appeared to have acknowledged as much, since support was provided in some cases to individuals receiving the minimum wage.

23. Ms. THEODOROU (Cyprus) said that jobs remunerated on the basis of the minimum wage were few in number and did not as a rule fall within the scope of trade union activity. The establishment of a minimum wage was accordingly a way of protecting individuals who did such jobs. In concrete terms, the minimum wage could ensure an adequate standard of living to an unmarried person who had no special needs, but it was clearly inadequate to cover the needs of a family. That was why additional support was provided when the

minimum wage was the sole income of a couple or a family. The Government was nevertheless aware of the problem and a study was being carried out to determine the level at which the minimum wage should be fixed.

24. Mr. EFTYCHIOU (Cyprus) pointed out that the setting of a minimum wage was by definition a guarantee of a minimum income and that the base amount was often exceeded in practice as a result of supply and demand on the labour market.

25. Mr. ADEKUOYE, referring to question 63 in the list of issues, said he was concerned by the uneven application of environmental and workplace safeguards by the municipalities. It was important that such measures be uniformly applied.

26. Ms. THEODOROU (Cyprus) explained that the municipalities were not responsible for industrial enterprises. They issued orders for the implementation of laws and decrees adopted by the Council of Ministers. Tripartite cooperation had been instituted in labour matters, as exemplified by the signature on 15 May 1996, by the Government and the employers' and workers' associations, of the Declaration of national policy on occupational safety and health. Moreover, a new law on occupational safety and health, promulgated in 1997, covered all branches of economic activity. Inspectors monitored the implementation of the legislation she had just described.

27. Mr. EFTYCHIOU (Cyprus) added that the municipalities adopted orders along the same lines.

Articles 13, 14 and 15 of the Covenant

28. Mr. CEVILLE, referring to the response to question 65 in the list of issues, noted that it referred only to human rights education at the primary and pre-primary levels. He wished to know whether that subject was also included in the curricula of secondary and higher educational institutions.

29. Mr. MARCHÁN ROMERO, referring to paragraph 344 of the report, asked to what extent it was truly possible for children from ethnic minorities to receive education in their own language and whether there was a general cultural project at the national level to integrate the culture of minorities and highlight their strengths, which would benefit the entire country.

30. Mr. SADI asked whether reconciliation between the Turkish and Greek communities was encouraged in educational institutions. Should the Greek Orthodox religion be considered the official religion of the State? If so, that would constitute a violation of the Covenant. How was religious instruction provided for children belonging to a minority?

31. Mr. AHMED asked what specific measures were taken to enable the Turkish minority in the Greek Cypriot part of the island to study its own language and teach children their religion. What cultural ties existed with Greece - educational curricula, exchange of radio and television programmes, etc.? Finally, what cultural exchanges took place with countries of the

European Union and what efforts were being made to establish cultural ties with the Turkish Cypriot community and thereby to secure mutual understanding between the two communities?

32. Ms. JIMENEZ BUTRAGUEÑO asked about the place given, on the one hand, to promotion of equality between men and women in a society that remained highly patriarchical and, on the other hand, to human rights education.

33. Mr. RIEDEL asked what means were available to minorities living in the "controlled" zones to learn their mother tongue. How was such education financed? By private institutions? By State subsidies? Had Cyprus ratified the European Charter for Regional or Minority Languages and the Framework Convention for the Protection of National Minorities?

34. Mr. ADEKUOYE (Country Rapporteur) wished to know why graduates of some technical courses were not entitled to compete for places in the four public higher education institutions (para. 350 of the report). What courses were taught in the private higher education institutions and what was done to ensure the quality of the instruction provided (para. 351 of the report)? Why were there only 97 scholarships and 21 loans when the number of students was 9,000 (para. 356 of the report)? Finally, what happened to the 20 per cent of children in need of special education who did not have access to courses of instruction set up for that purpose? What about the shortage of teachers mentioned in the report?

35. Ms. LOIZIDOU (Cyprus), referring to the question about cultural ties, said it had been decided in 1960, upon Cyprus' accession to independence, that education and religion would be the responsibility of the two major communities in Cyprus. However, those two communities had been separated ever since the events of 1974. Even though the Cypriot Government did not prohibit any Turkish Cypriot from entering the sectors under its control, it was not easy to cross the line of demarcation held by the army. Contacts between the two communities were accordingly limited. Only persons authorized by the occupying authorities to come and go provided a link between the two and that, unfortunately, was of no help to relations between the communities.

36. The process of harmonizing Cypriot laws with the machinery and regulations of the European Union was well under way. For several years Cyprus had been participating in programmes of the European Union, particularly in the cultural field (for example, the programme "Socrates"). There were a number of other ongoing programmes between Cyprus and Greece, which shared the same culture and language, and that facilitated exchanges. Cyprus had been part of the Hellenic world, so there was good understanding and some affinity between the two peoples, whose educational systems were similar. Courses at the University of Cyprus were given in the country's two official languages, Greek and Turkish. Many students also pursued their university studies in Greece.

37. In 1995, the Secretary-General of the United Nations had used the Peacekeeping Forces to carry out a comparative study on the living conditions of Greek Cypriots in the occupied zone and Turkish Cypriots in the zone under government control; he had recommended, inter alia, the establishment of a United Nations liaison office to enable Turkish Cypriots to submit any

complaints they might have to the United Nations. It should be noted that the Turkish Cypriots had one of Islam's three holy places, after Mecca and Medina in the zone under government control.

38. Replying to the question on reconciliation, she said that the Cypriot Government was making unceasing efforts in that direction. For example, through the European Union, it had officially proposed that the Turkish Cypriot community join the negotiating team for Cyprus' accession to the European Union. It had received no response. All efforts at reconciliation to date had yielded no results, although feelings among ordinary people were often different.

39. Mr. PNEUMATICOS (Cyprus) explained that Cypriot education was based on the principle that education was not only a fundamental right but a productive investment for humanity. The values and concepts inherent in human rights were included in the syllabuses of various subjects (for example, history and classical Greek). There was no discrimination between men and women in education, and that extended to the salaries and rights of teachers (promotion, etc.).

40. The Cypriot Government was multiplying its efforts to subsidize the production of teaching equipment, manuals on human rights and training programmes. Special programmes were aimed at facilitating the integration of students into occupational life or enabling them to pursue higher education abroad. Children belonging to linguistic, racial, religious or other minorities (Armenians, Maronites) could receive schooling in a private institution of their choice. The children of immigrants were offered special courses to facilitate their integration into the public education system.

41. The Pedagogical Institute organized in-service training programmes (compulsory and optional) for teachers. Grants for university studies were available for teachers who wished to pursue advanced studies. Distance learning through foreign universities was also possible. There was no longer a shortage of teaching staff at the primary school level in Cyprus.

42. With regard to courses in religious education, he said that the Cypriot Constitution guaranteed freedom of religion. The Government did not oblige children belonging to a minority to follow religious education courses. Furthermore, it subsidized some private denominational schools.

43. Refugee children were protected by the relevant laws (European Conventions and ILO Conventions) and had access to education on the same footing as Cypriots.

44. Turning to the question of higher education in Cyprus, he said that the University of Cyprus had been in existence only since 1992. The country also had public higher education institutions (the Forestry College, the Higher Technical Institute, the Higher Hotel Institute and the School for Nursing) as well as private institutes that had to be accredited by the Ministry of Education. Admission to university and to public higher education institutions was by competitive examination. Scholarships and financial aid were granted to a certain number of students.

45. Mr. ADEKUOYE requested clarification on the subjects taught in the private institutions referred to.

46. Mr. PNEUMATICOS (Cyprus) said that the subjects differed from those taught at the university or in State-run institutions.

47. Ms. LOIZIDOU (Cyprus) thanked the members of the Committee for having given the Cypriot delegation the opportunity to engage in a productive discussion on the implementation of economic, social and cultural rights in Cyprus. The Cypriot Government was determined to find a viable solution to the problem of Cyprus.

48. The CHAIRPERSON thanked the Cypriot delegation for what had been a constructive dialogue with the members of the Committee and announced that the Committee had completed its consideration of the third periodic report of Cyprus (E/1994/104/Add.2).

49. The Cypriot delegation withdrew.

The public part of the meeting rose at 7.05 p.m.